



STELLENBOSCH

STELLENBOSCH • PNIEL • FRANSCHHOEK

MUNISIPALITEIT • UMASIPALA • MUNICIPALITY

Application Number: LU/15567 (TP367/2023)

Our File Reference Number: Erf 1197, Stellenbosch

Your Reference Number:

Enquiries: Ulrich von Molendorff

Contact No: 021 808 8682

Email address: Ulrich.Vonmolendorff@stellenbosch.gov.za

PER E-MAIL: [REDACTED]

Sir / Madam

APPLICATION FOR PERMISSION REQUIRED IN TERMS A OF CONDITION OF APPROVAL ON ERF 1197, STELLENBOSCH

1. The above application refers.
2. The duly authorised decision maker has decided on the above application as follows:
3. That the application in terms of Section 15(2)(l) of the Stellenbosch Municipal Land Use Planning Bylaw, 2023 for a **permission required in terms of a condition of approval for the approval of the Site Development Plan** (to comply with Condition 4.3 as stipulated in the letter of approval, dated 25 August 2020) in order to allow for extensions to existing guest house and construction of an additional dwelling unit, on Erf 1197, Stellenbosch.

BE APPROVED in terms of Section 60 of the said Bylaw and subject to conditions of approval.

4. The approval is subject to the following conditions imposed in terms of Section 66 of said Bylaw:

- 4.1 The approval only applies to the application under consideration and shall not be construed as authority to depart from any other legal prescriptions or requirements from Council or other legislation or Bylaws or Regulations that may be applicable.
- 4.2 The approval granted shall not exempt the applicant from complying with any other legal prescriptions or requirements that might have a bearing on the proposed use.

4.3 The development be undertaken generally in accordance with the Site Development Plan as referenced (SD-3422-M101; SD-3422-M202; SD-3422-M301, dated 24 April 2023) and attached as **ANNEXURE B**.

4.4 The remaining conditions imposed by council in its approval letter dated 25 August 2020.

4.5 The conditions imposed by the Director: Engineering Services in their memo dated 11 December 2023, attached as **ANNEXURE D** be adhered to.

4.6 Sufficient on-site parking be provided in accordance with the provisions of the Zoning Scheme Bylaw as illustrated on the site plan to the satisfaction of the Municipality.

4.7 Building plans must be submitted to this Municipality for approval.

5. The reasons for the above decision are as follows:

5.1 The Site Development Plan will not result in any additional rights being granted and will not lead to an increase in the permissible floor factor, coverage and height.

5.2 The Site Development Plan complies with the approved land use rights.

5.3 The proposal does not contradict the previous municipal approval and would not affect the development or the surrounding properties negatively.

6. Matters to be noted:

6.1 The recommendations of Heritage Western Cape in their letter dated 19 May 2021 be adhered to when building plans are submitted for approval.

7. You are hereby informed in terms of section 79(2) of the Stellenbosch Municipal Land Use Planning Bylaw, of your right to appeal the above decision to the Appeal Authority within 21 days from the date of notification of the above decision. Please note that no late appeals or an extension of time for the submission of appeals are permitted in terms of Section 80(1)(a) of the said By-Law.

8. Appeals must be submitted with the prescribed information to satisfy the requirements of Section 80(2) of the said By-law, failing which the appeal will be invalid in terms of Section 81(1)(b) of the said By-Law. The following prescribed information is accordingly required:

8.1 The personal particulars of the Appellant, including:

- i. First names and surname
- ii. ID number
- iii. Company of Legal person's name (if applicable)
- iv. Physical Address
- v. Contact details, including a Cell number and E-Mail address

8.2 Reference to this correspondence and the relevant property details on which the appeal is submitted.

8.3 The grounds of the appeal which may include the following grounds:

- i. that the administrative action was not procedurally fair as contemplated in the Promotion of Administrative Justice Act, 2000 (Act 3 of 2000)
- ii. grounds relating to the merits of the land development or land use application on which the appellant believes the authorised decision maker erred in coming to the conclusion it did.

8.4 Whether the appeal is lodged against the whole decision or a part of the decision.

8.5 If the appeal is lodged against a part of the decision, a description of the part.

8.6 If the appeal is lodged against a condition of approval, a description of the condition.

8.7 The factual or legal findings that the appellant relies on.

8.8 The relief sought by the appellant.

8.9 Any issue that the appellant wishes the Appeal Authority to consider in making its decision.

8.10 That the appeal includes the following declaration by the Appellant:

- i. The Appellant confirms that the information contained in the subject appeal and accompanied information and documentation is complete and correct
- ii. That the Appellant is aware that it is an offence in terms of Section 86(1)(d) of the said By-Law to supply particulars, information or answers in an appeal against a decision on an application, or in any documentation or representation related to an appeal, knowing it to be false, incorrect or misleading or not believing them to be correct.

9. Appeals must be addressed to the Municipal Manager and submitted to his/ her designated official by means of e-mail at the following address: landuse.appeals@stellenbosch.gov.za.

10. Any party (applicant or other) who lodges an appeal must pay the applicable appeal fee in terms of the approved municipal tariffs and submit the proof of payment together with the

appeal. The **LU** Reference number on this correspondence, or the applicable Erf/ Farm Number must be used as the reference for the payment of the appeal fee.

11. The approved tariff structure and the banking details for the General Account can be accessed and viewed on the municipal website. For any enquiries the office can be contacted at landuse.appeals@ Stellenbosch.gov.za.

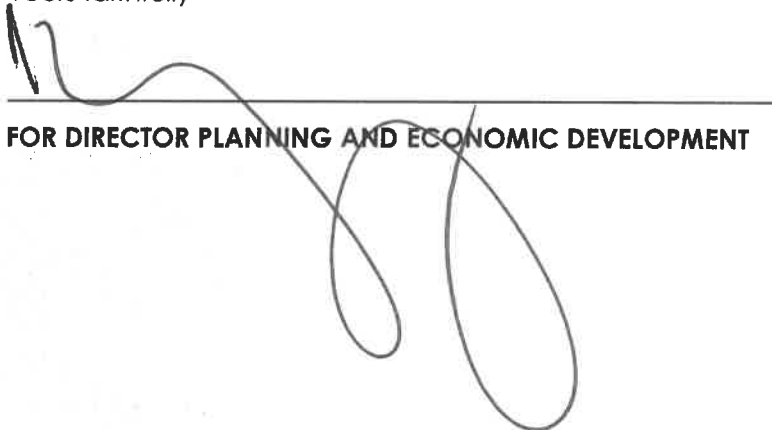
12. An applicant who lodges an appeal must also adhere to the following requirements stipulated in terms of section 80(3) to (7) of the said By-law:

- (a) Simultaneously serve the appeal on any person who commented on the application concerned and any other person as the municipality may determine.
- (b) The notice by the applicant must invite persons to comment on the appeal within 21 days from date of notification of the appeal.
- (c) The notice must be served in accordance with section 35 of the said legislation and in accordance with the prescripts or such additional requirements as may be determined by the Municipality.
- (d) Proof of serving the notification must be submitted to the Municipality at the above E-mail address within 14 days of serving the notification.

13. Kindly note that no appeal right exists in terms of Section 62 of the Local Government Municipal Systems Act, No 32 of 2000.

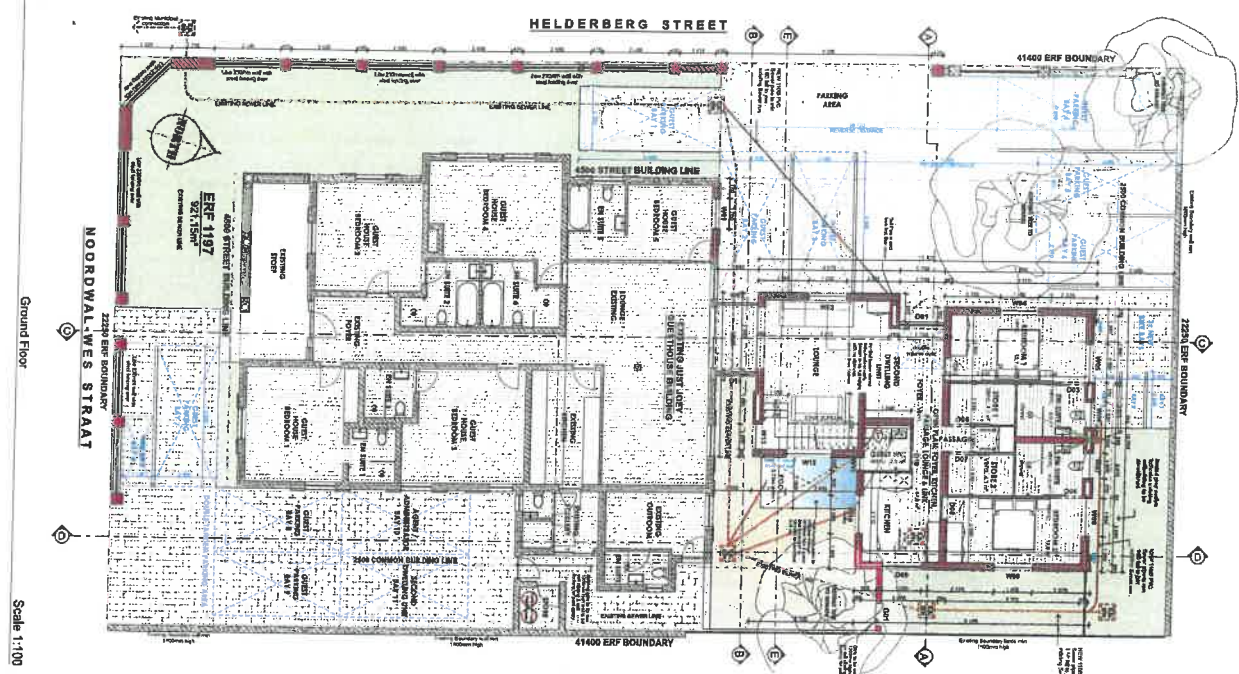
14. Kindly note the above decision in the case of any approval, is suspended, and may therefore not be acted on, until such time as the period for lodging appeals has lapsed, any appeal has been finalised and you've been advised accordingly.

Yours faithfully

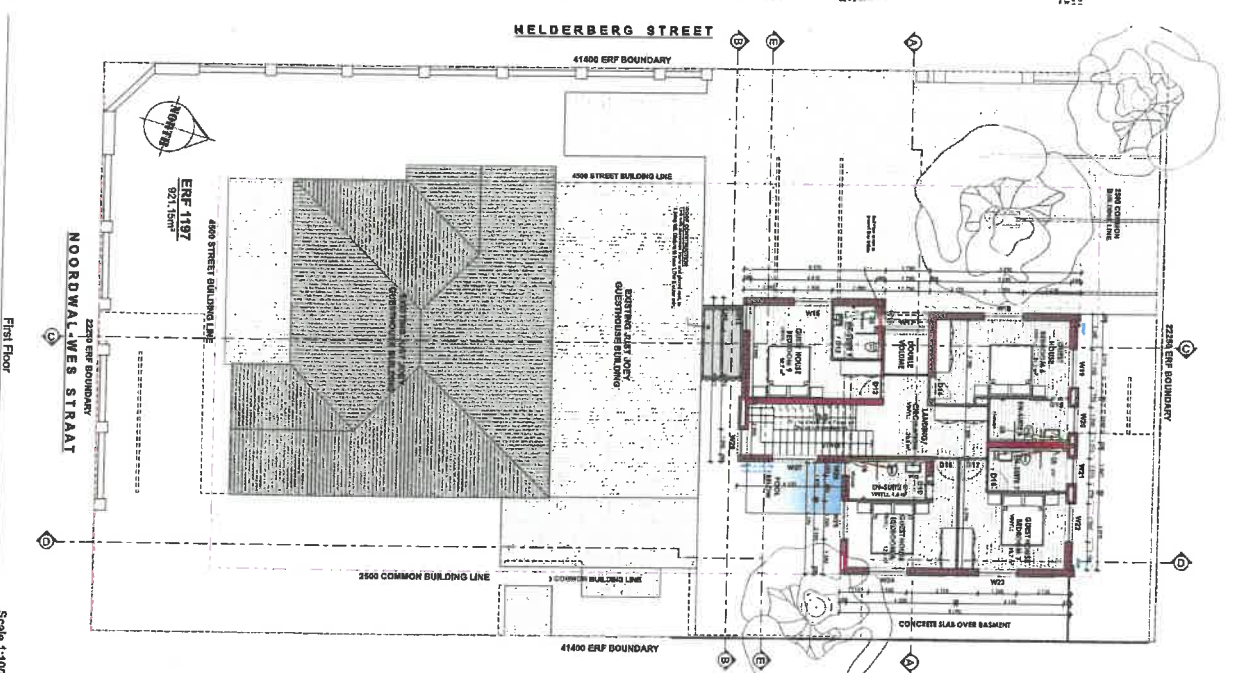


FOR DIRECTOR PLANNING AND ECONOMIC DEVELOPMENT

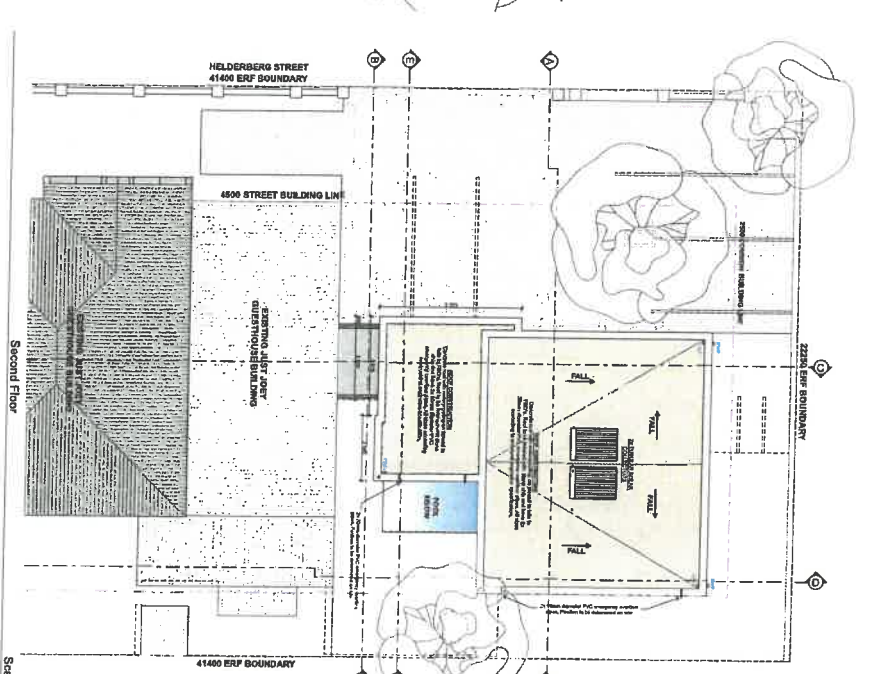
22/2/2024
DATE



Ground Floor
Scale 1:100



First Floor
Scale 1:100



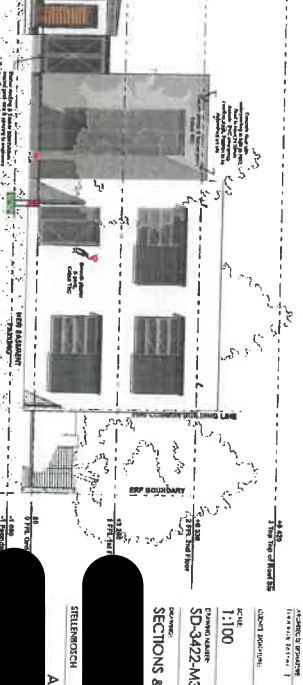
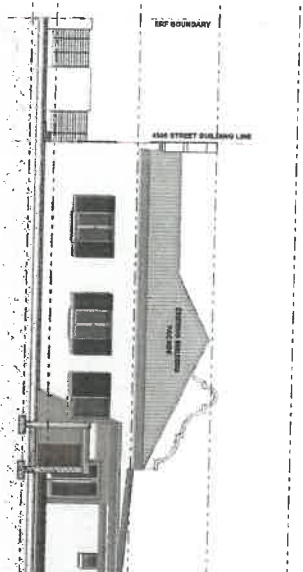
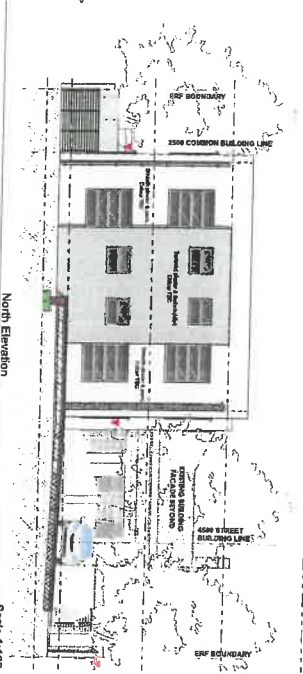
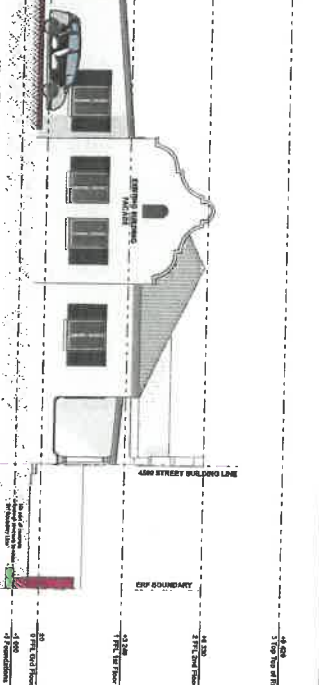
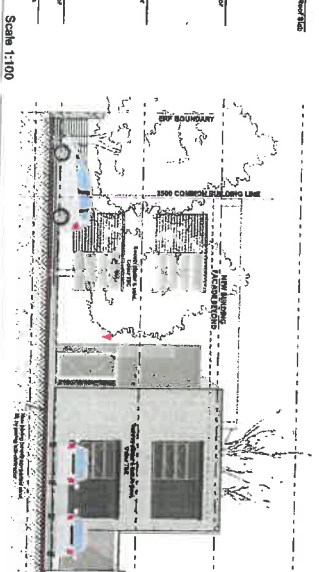
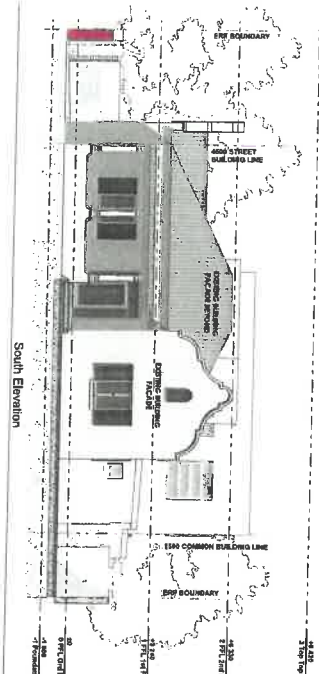
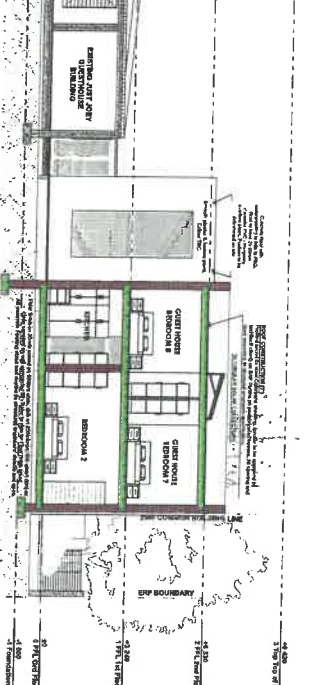
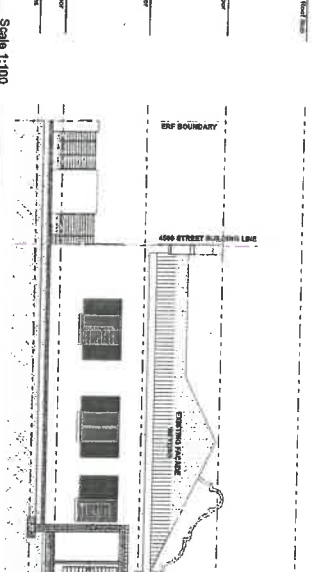
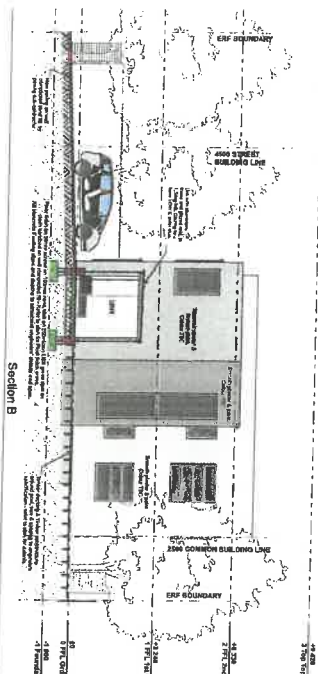
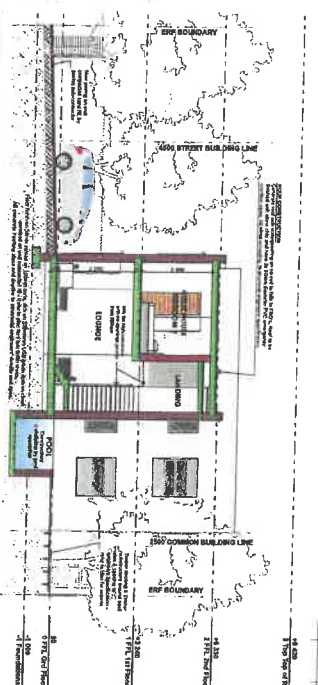
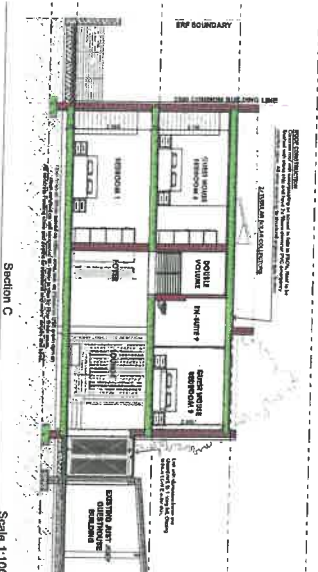
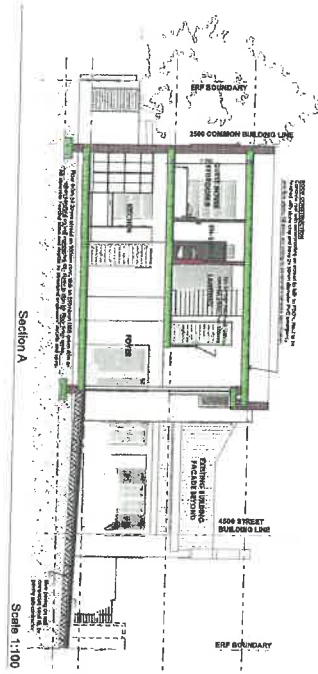
Second Floor
Scale 1:100

- EXISTING AREAS:**
- EXISTING EXHIBIT = 234.3m²
 - EX-HOUSE = 33.2m²
 - EX-BUILDING = 29.6%
 - NEW COVERAGE = 29.6%
- REVISED AREAS:**
- EXISTING EXHIBIT = 154.4m²
 - EX-OUTBUILDING = 33.2m² (to be demolished)
 - NEW COVERAGE = 353.7m²
 - NEW COVERAGE = 35.7%
- TOTAL AREAS:**
- EXISTING EXHIBIT = 982m²
 - NEW GF ADDITION = 124.4m²
 - NEW FF ADDITION = 115.5m²
 - EX-BUILDING = 234.3m²
 - NEW BULK = 478.8m²
 - NEW BULK = 0.5%

DATE: 2023/04/24
 DRAWN BY: [Redacted]
 CHECKED BY: [Redacted]
 PROJECT: [Redacted]
 SHEET: [Redacted]
 OF: [Redacted]

FLOOR PLANS







STELLENBOSCH MUNICIPALITY
STELLENBOSCH · PNIEL · FRANSCHHOEK

MEMORANDUM

DIREKTORAAT: INFRASTRUKTUURDIENSTE
DIRECTORATE: INFRASTRUCTURE SERVICES

CIVIL ENGINEERING SERVICES

To ▫ Aan: Director: Planning + Economic Development
Att Aandag: Nolusindiso Momoti
From ▫ Van: Principal Technician: Development (Infrastructure Services)
Author ▫ Skrywer: Kurt Titus
Date ▫ Datum: 11 December 2023
Our Ref ▫ Ons Verw: Civil LU 2545
Town Planning Ref: LU/15567 – TP367/2023
Re ▫ Insake: Erf 1197, Stellenbosch: Application is made in terms of Section 15(2)(l) the Stellenbosch Municipal Land Use Planning By-Law, promulgated by notice number 354/2015, dated 20 October 2015, for the approval of the Site Development Plan to comply with Condition 4.3 as stipulated in the letter of approval, dated 25 August 2020 for Erf 1197, Cnr of Helderberg Street & Noordwal Wes Street, Stellenbosch. Condition 4.3 reads as follows: "A revised site development plan shall be submitted to the Municipality for approval by the Director: Planning and Economic Development that reflects the approved land uses (extension to guest house and additional dwelling unit) only. The proposal must adhere to the building lines, coverage, floor area, parking and height as prescribed in the Zoning Scheme".

The application is recommended for approval, subject to the following conditions:

1. **Civil Engineering Services**
 - a. **Water**
No increase in the size of the current water connection for the erf, also no additional water connections are permitted.

b. **Sewer**

No additional sewer connections will be permitted for this development.

c. **Parking**

Ensure that the parking bay allocation is in line with the Stellenbosch Municipality zoning scheme for the development. Be advised that tandem parking bays count as one parking as per the zoning scheme.

2. **Development Charges (DCs)**

- a. The provisional **Development Charge** was calculated when the initial application was recommended for approval and is no longer applicable or in line with the current tariff structure.
- b. The appropriate DC's are payable before building plan approval, a final fee will be calculated at that stage.

K Titus

Kurt Titus
Principal Technician: Development (Infrastructure Services)

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